

SUPPORT FOR THE AMENDMENTS

Claims 2, 3, 5, 12, 14, and 16 have been canceled.

Claims 1, 4, 11, 13, and 17 have been amended.

The amendment to Claim 1 is supported by original Claims 1-3. The amendment to Claim 4 is supported by original Claims 4 and 5. The amendment to Claim 11 is supported by original Claims 11 and 12. The amendment to Claim 13 is supported by original Claims 13 and 14. The amendment to Claim 17 is supported by original Claim 17.

No new matter has been added by the present amendment.

REMARKS

Claims 1, 4, 6-11, 13, 15, and 17-20 are pending in the present application.

The rejection of Claims 1-20 under 35 U.S.C. §112, first paragraph (enablement), is obviated by amendment.

In the Office Action, the Examiner acknowledges that the specification is enabling for a composition comprising a zeolite like material having the compositional formula as set forth in Claim 3 of the present application or a zeolite-like material obtained by the pyrolysis of hydrogarnet. However, the Examiner alleges that the specification does not enable claims reciting a compound that includes or occludes active oxygen, and the specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention the invention commensurate in scope with these claims.

Applicants make no statement with respect to the propriety of this ground of rejection and in no way acquiesce to the same. Nonetheless, to expedite examination, Applicants have amend Claim 1 to include the limitations of the Claims 2 and 3, which the Examiner recognizes as being fully enabled. Claims 4 and 6-10 depend from Claim 1 and, therefore, Applicants submit that these claims are similarly enabled.

Consistent with the Examiner's recognition that the specification is enabling for a composition comprising a zeolite like material having the compositional formula as set forth in Claim 3 of the present application, Claim 11 has been amended to define the scope of the aluminosilicate in the aluminosilicate catalyst as set forth in original Claim 3 (see also original Claim 12). Specifically, the aluminosilicate in Claim 11 is defined as having a compositional formula of $\text{Ca}_{12}(\text{Al}_{14-x}\text{Si}_x)\text{O}_{33+0.5x}$, where the value of X is in the range of $0 \leq$

X \leq 4. Accordingly, Applicants submit that Claim 11 and the claims dependent therefrom (i.e., Claims 13, 15, and 17-20) are enabled.

Withdrawal of this ground of rejection is requested.

The rejection of Claims 1 and 6-10 under 35 U.S.C. §103(a) over JP 2002-003218 is obviated by amendment.

At the outset, Applicants note that Claim 1 has been amended to include the limitations of original Claims 2 and 3, which the Examiner recognizes as being free from the disclosure of JP 2002-003218. Accordingly, this rejection should be withdrawn.

Further, Applicants submit that the compound disclosed in JP 2002-003218 contains active oxygen seeds that can be either peroxide, superoxide, or both as claimed in the present application. JP 2002-003218 discloses $12\text{CaO} \bullet 7\text{H}_2\text{O}_3$ compound containing active oxygen seed, but does not teach the aluminosilicate having the specific compositional formula defined in Claim 1 of the present application.

Withdrawal of this ground of rejection is requested.

The rejection of Claims 1-20 under 35 U.S.C. §103(a) over “Book of Abstracts and Recent Research Reports” (Book of Abstracts) is obviated in part by amendment and traversed in part.

Book of Abstracts discloses treating a catalyst material and preparation method mayenite to produce a material containing spheroid anion combined with a cobalt oxide catalyst. Book of Abstracts also discloses a new zeolite-like mayenite $\text{Ca}_{12}\text{Al}_{10}\text{Si}_4\text{O}_{35}$. However, at no point does Book of Abstracts disclose or suggest the aluminosilicate defined in Claims 1 and 11 of the present application.

Withdrawal of this ground of rejection is requested.

The rejection of Claims 1-20 under 35 U.S.C. §102(b) over Fujita is obviated in part by amendment and traversed in part.

Fujita discloses that hydrogarnet having the formula $[(Ca,Co)_3Al_2(SiO_4)_{0.8}(OH_{8.8})]$ is changed to mayenite: $Ca_{12}Al_{10}Si_4O_{32}(OH)_6$ and Co_3O_4 by heat treatment, but Fujita does not disclose the aluminosilicate having the compositional formula defined in Claims 1 and 11 of the present application.

Withdrawal of this ground of rejection is requested.

The rejection of Claims 1-10 under 35 U.S.C. §102(a) over “Proceedings of the 13th Annual Conference of the Japanese Society of Waste Management Experts” (Proceedings) is respectfully traversed on the grounds that Proceedings is not prior art against the present application.

Proceedings was published on November 28, 2002 (see cover page). The present application is a National Stage (371) of PCT/JP03/010497, filed on August 20, 2003, which claims priority to JP 2002-240374 and JP 2002-246318, filed on August 21, 2002 and August 27, 2002, respectively. The filing date of the priority applications is at least three months prior to the publication of Proceedings. To perfect their claim to priority to JP 2002-240374 and JP 2002-246318, Applicants **submit herewith** certified English translations of JP 2002-240374 and JP 2002-246318. Applicants request that the Examiner acknowledge entitlement of the present application to the benefit of an earlier filing date provided by the claim to priority to JP 2002-240374 and JP 2002-246318, which is three months prior to the

publication of Proceedings. Since Proceedings is not prior art against the present claims this rejection should be withdrawn.

Acknowledgment that this ground of rejection has been withdrawn is requested.

Applicants submit that the present application is in condition for allowance. Early notification to this effect is respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to be 'V. Shier', written over a horizontal line.

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